

HOUSE BILL No. 4025

January 27, 2005, Introduced by Rep. Stewart and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8507 (MCL 600.8507), as amended by 1994 PA 5.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8507. (1) Magistrates shall be registered electors in the
2 county in which they are appointed. All magistrates appointed shall
3 serve at the pleasure of the judges of the district court. Before
4 assuming office, persons appointed magistrates shall take the
5 constitutional oath of office and file a bond with the ~~county~~
6 ~~treasurer~~ **LOCAL FUNDING UNIT** in an amount determined by the state
7 court administrator. The bond shall also apply to temporary service
8 in another county under subsection (2) or (3).

9 (2) In a district of the first class that consists of more
10 than 1 county, if a magistrate is temporarily absent or
11 incapacitated, the chief or only district judge may direct a

1 magistrate of another county of the same district to serve
2 temporarily in the county where the magistrate is temporarily
3 absent or incapacitated. The district judge shall make his or her
4 order in writing. A magistrate serving temporarily under this
5 subsection ~~shall~~ **IS** not ~~be~~ entitled to additional compensation
6 but shall be reimbursed for actual and necessary expenses incurred
7 during the authorized temporary service upon certification and
8 approval by the state court administrator. Upon allowance, the
9 reimbursement shall be paid by the state treasurer out of the
10 appropriation for the state court administrative office.

11 (3) In a district of the first class that consists of more
12 than 1 county, the chief or only district judge may authorize a
13 magistrate appointed in 1 county to serve in another county in the
14 district.

15 (4) Pursuant to a multiple district plan under section 8320
16 involving adjoining districts of the first class, a district court
17 magistrate appointed in a county of 1 district may be authorized to
18 serve in a county of the adjoining district. While serving in the
19 adjoining district, the magistrate shall be subject to the
20 superintending control of the chief or only district judge of that
21 district.

22 (5) Pursuant to a multiple district plan under section 8320
23 involving districts in the same county, a district court magistrate
24 may be authorized to serve in any participating district of the
25 county.